

EXHIBIT H

CONFIDENTIAL



Transcript of **Mary Winter**

Monday, May 9, 2022

*National Coalition on Black Civic Participation, et al.
v. Jacob Wohl, et al.*

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Reference Number: 116296

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF NEW YORK

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4 NATIONAL COALITION ON BLACK CIVIC PARTICIPATION,
5 MARY WINTER, GENE STEINBERG, NANCY HART, SARAH
6 WOLFF, KAREN SLAVEN, KATE KENNEDY, EDA DANIEL and
7 ANDREA SFERES,

8

9 7 Plaintiffs, Civil Action No.

10

11 -and-

12 1:20-cv-08668-VM-OTW

13

14 People of the STATE OF NEW YORK, by its Attorney
15 General, LETITIA JAMES, ATTORNEY GENERAL OF THE
16 STATE OF NEW YORK

17

-vs-

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19 JACOB WOHL, JACK BURKMAN, J.M. BURKMAN & ASSOCIATES,
20 LLC, PROJECT 1599, MESSAGE COMMUNICATIONS, INC.,
21 ROBERT MAHANIAN and JOHN and JANE DOES 1-10

22

Defendants.

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28 Deposition of MARY WINTER, Plaintiff, herein,
29 taken by Defendant, pursuant to Notice via Zoom, on
30 Monday, May 9, 2022, at 1:20 p.m., before Deirdre
31 Smith, a stenographer and notary public within and
32 for the State of New York.

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1 A P P E A R A N C E S

2

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1 A P P E A R A N C E S (continued)

2

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17 BY: COLLEEN FERITY, ESQ.

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1 Q. Do you believe that speech should be
2 censored by anybody?

3 MS. ROEHRIS: Objection.

4 A. I don't know.

5 Q. You don't know one way or another if
6 speech should be censored?

7 A. I need you to clarify what you mean, who
8 the other people are?

9 Q. Are there any instances that you believe
10 speech should be censored?

11 MS. ROEHRIS: Objection.

12 A. I don't know.

13 Q. What is a situation that you would like to
14 see speech censored?

15 MS. ROEHRIS: Objection.

16 A. Intimidating voters with misinformation
17 comes to mind.

18 Q. Who should censor that speech?

19 MS. ROEHRIS: Objection.

20 A. I don't know.

21 Q. Do you think that someone should be
22 censored for expressing their personal political
23 opinion?

24 MS. ROEHRIS: Objection.

25 A. I don't know.

1 Q. You don't know if you believe that someone
2 should be censored for expressing their political
3 opinion?

4 MS. ROEHRIS: Objection.

5 A. Can you clarify, someone, and, political
6 opinion?

7 Q. Not really. It's a pretty general
8 question. Do you believe that someone should be
9 censored from expressing political opinions?

10 MS. ROEHRIS: Objection.

11 A. I don't know.

12 Q. You don't know if you believe whether or
13 not people should be censored for expressing their
14 political opinions or not; is that fair to say?

15 MS. ROEHRIS: Objection.

16 A. Yeah.

17 Q. Do you know what the Constitution of the
18 United States is?

19 MS. ROEHRIS: Objection.

20 A. No.

21 Q. You've never heard of the Constitution
22 before?

23 MS. ROEHRIS: Objection.

24 A. I have.

25 Q. Do you know what the Constitution of the

1 United States is?

2 MS. ROEHRIS: Objection.

3 A. Yes.

4 Q. Okay. What is it?

5 MS. ROEHRIS: Objection.

6 A. It's the Constitution.

7 Q. But what specifically is the Constitution?

8 MS. ROEHRIS: Objection. This is getting
9 very far off topic.

10 MR. KLEINMAN: I don't actually think it
11 is at all and I'm entitled to ask and I'm going
12 to continue to ask.

13 Q. So, what is the Constitution, Ms. Winter?

14 A. It's the governing document our country.

15 Q. Okay. What's your opinion of the
16 Constitution?

17 MS. ROEHRIS: Objection.

18 A. Can you specify a particular part of it?

19 Q. Let's start with generally speaking, what
20 is your opinion of the Constitution of our country?

21 MS. ROEHRIS: Objection.

22 A. It's a pretty good governing document.

23 Q. Okay. Agree. Do you believe the
24 Constitution should apply to every single citizen of
25 this country?

1 MS. ROEHR: Objection.

2 A. Yes.

3 Q. Why? Why do you believe that?

4 MS. ROEHR: Objection.

5 A. From my personal experience and beliefs.

6 Q. Is it fair to say that you wouldn't want
7 to be censored for expressing an opinion?

8 MS. ROEHR: Objection.

9 A. Can you clarify who I would be censored
10 by?

11 Q. No, it's just a general question. Again,
12 is it fair to say that you would not want to be
13 censored by anybody for expressing --

14 MR. KLEINMAN: Well, withdrawn.

15 Q. Is there anybody you would feel
16 comfortable being censored by for expressing a
17 political opinion?

18 MS. ROEHR: Objection.

19 A. Can you define exactly what you mean by
20 the word, censor, here?

21 Q. What do you take it to mean?

22 MS. ROEHR: Objection.

23 A. Can you please clarify your question to
24 me?

25 Q. Sure. Do you think that anybody should

1 have the right to suppress your political opinion?

2 MS. ROEHRIS: Objection. The witness isn't
3 a legal or constitutional expert.

4 MR. KLEINMAN: I don't need your speaking
5 opinion. I'm asking her opinion. If you have
6 an objection you can state it. You all spent
7 seven or eight hours with my client so I'm
8 going to ask relevant questions.

9 MS. ROEHRIS: This is beyond the scope.

10 MR. KLEINMAN: It's actually not beyond
11 the scope, it's actually not. These are all
12 fair questions and I'm going to continue to ask
13 them.

14 Q. So, Ms. Winter, my question is do you
15 believe that your political opinion should be
16 suppressed?

17 MS. ROEHRIS: Objection.

18 A. Again, I need you to clarify. Suppressed
19 by whom?

20 Q. By anybody?

21 MS. ROEHRIS: Objection.

22 A. I don't know.

23 Q. Who do you think should be permitted to
24 suppress your political opinion?

25 MS. ROEHRIS: Objection.

1 A. I believe there are certain jobs, times
2 and places where one's personal political opinion is
3 not appropriate. And I really would prefer not to
4 go down a road to trying speculate about all those
5 possible scenarios.

6 Q. Well, when do you think it's inappropriate
7 to share your political opinion?

8 MS. ROEHRIS: Objection.

9 A. One inappropriate place seems to be when
10 you're active duty.

11 Q. Do you know who Jacob Wohl is?

12 A. No.

13 Q. Have you ever heard of Jacob Wohl?

14 A. Only in the context of this case.

15 Q. Do you have an opinion of, Mr. Wohl?

16 MS. ROEHRIS: Objection.

17 A. I found his robocall distressing.

18 Q. Okay. Aside from that do you have any
19 opinion one way or the other?

20 MS. ROEHRIS: Objection.

21 A. I don't know.

22 Q. Okay. Prior to the November 2020
23 presidential election did you see or hear political
24 ads?

25 A. Possibly.